

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF BOSTON**

**FILED
IN CLERKS OFFICE
2020 NOV -6 AM 10:54
U.S. DISTRICT COURT
DISTRICT OF MASS.**

Steven L Smith

Wykeem Price,

PLAINTIFFS

On Behalf of the Class

VS.

Sheriff Bowler

A.S. Sheriden

DEFENDANTS,

(in both their official and individual capacities)

Docket # _____

CLASS ACTION CIVIL COMPLAINT

This action is brought forth Under U.S.C. 42 % 1983

1. The Plaintiffs are incarcerated at the Berkshire County Jail at 467 Cheshire Road, Pittsfield, MA 01201
2. Defendant Bowler is the Sherriff at the Berkshire County Jail.
3. A.S. Sheriden is employed at the Berkshire County Jail.
4. The Plaintiffs have not filed any other lawsuits regarding this issue or any other in either state or federal court.
5. The Plaintiffs cannot gain redress for his complaints because there's no remedy to address Plaintiff's Grievance. However, Plaintiff has filed a formal Grievance and pursued it to exhaustion.
6. Filing the Grievance on this EXIGENT issue would be pointless.

STATEMENT OF CLAIM

7. The Canteen Officer informed the Plaintiffs that A.S. Sheriden, per Sheriff Bowler Orders, directed him to RETURN all Stimulus checks sent to inmates back to the I.R.S.
8. On September 24, 2020, Judge Phyllis J Hamilton of the U.S. District Court for the Northern District of California issued an Order granting plaintiff's motion requiring the

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U.S. Department of Treasury and the Internal Revenue Service to STOP withholding stimulus funds from people in state and federal prisons. (SEE ATTACHED EXHIBITS)

9. All Inmates throughout the United States were given until October 15th 2020 to file for their Stimulus funds.
10. Plaintiffs have attached documents from the Harvard Prison Legal Assistance Project that inform inmates of their entitlement to these funds.
11. Jail officials have no authority to arbitrarily return "our" Stimulus checks.
12. The Court instructed jail officials that they may deduct funds for such things as child payments and restitution for court ordered fines, etc., Otherwise, all inmates are eligible for these funds.

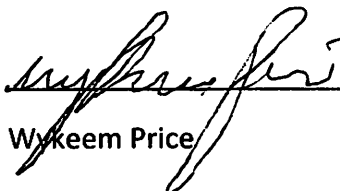
REDRESS

**We simply request this Most Honorable Court to Order
the Defendant to immediately Cease Returning these
funds to the I.R.s and either place the checks into our
property or post to our inmate accounts.**

Respectfully Submitted,


Steven L Smith

On this 3rd day of ^{November}~~October~~ 2020.


Wykeem Price